

<b>Examiner-Initiated Interview Summary</b>	Application No.	Applicant(s)	
	09/934,127	WYATT, DANIEL	
	Examiner	Art Unit	
	Darren W. Ark	3643	

**All Participants:**

**Status of Application:** Non-Final Rejection

(1) Darren W. Ark.

(3) \_\_\_\_\_.

(2) Craig Weiss.

(4) \_\_\_\_\_.

**Date of Interview:** 1 September 2004

**Time:** 1:00pm EST

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: \_\_\_\_\_

**Part I.**

Rejection(s) discussed:

*Rejections in Non-Final Action mailed 6/4/04*

Claims discussed:

18, 32

Prior art documents discussed:

*Prior art of record*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

**DARREN W. ARK**  
**PRIMARY EXAMINER**



(Examiner/SPE Signature)

\_\_\_\_\_  
 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant argued that Rose, Caplan and Anselmi applied in the Non-Final Rejection do not disclose retaining the bait, hook, and line within the interior surface of the sleeve and Examiner agreed with the exception of Caplan. Examiner argued that Caplan holds the line within a strip (11) which is part of sleeve (10) and that in Fig. 2 it shows that the strands (12) surrounding the line (14), but conceded that at least a portion of the hook was not retained within an interior of the sleeve. Examiner cited Wood 4,839,982 which discloses the hook, line and bait inside a sleeve/bag (5) with closed and open ends as presently recited. Applicant argued that Wood discloses a bag with a drawstring (9) used to close the open end of the bag similar to Caplan's device and that it does not have the capability to expand and is not sufficiently rigid to retain the bait therein and that without tightening the drawstring the bait would fall out. Examiner stated that the bag (5) of Wood can expand since it can be stuffed with bait such that it is bulging and that there is sufficient rigidity in the bag to retain the bait therein since its purpose is to hold bait inside and is capable of such without the drawstring and that no specific measure or level of material rigidity has been set forth in the claim that is not disclosed by Wood. Examiner also cited Kandlbinder et al. 6,247,260 which is similar to Wood but does not have the line passing through the second closed end and also has means for closing the open end in the form of a string (22). Examiner also cited Brockett 4,788,788 as being similar but that it has a sponge (16) which closes the first end whereas applicant's first end is open. Examiner suggested amending claim 18 to recite the open first end as being free of either means to constrict or close the first end to overcome Caplan, Wood, Brockett, and Kandlbinder et al. and also Hudson 4,961,280 which has a ridge or abutment (42) that is received in a channel (46) to close the first end. Examiner also stated Wilson 5,603,182 discloses a sleeve (6) with a closed second end (10) with an aperture for the line (18), a mesh-like configuration (solid body with holes 20 therethrough), an open first end (12) that is free of means for closing or constricting the first end, and that the sleeve is made of rubber and therefore has some capability of expanding and some rigidity. Examiner suggested amending the claims to recite the sleeve comprising a plurality of strands which form a mesh-like configuration and Applicant agreed. Please see Examiner's Amendment for details.